

REMARKS/ARGUMENTS

The Office Action notes that Claims 1-13 are pending in the application. By this Amendment, Claim 12 is amended. Support for the amended claim can be found throughout the originally filed specification, claims, and drawings as filed. Therefore, no new matter has been added.

Drawings

Figure 11 stands objected to for not containing the legend "prior art." The Applicants have provided on a separate sheet a proposed amendment to Figure 11 with the changes shown in red ink.

The drawings are also objected to as failing to comply with 37 C.F.R. 1.84 ¶ 5 because they include reference signs not mentioned in the description. Specifically, the Office Action identifies reference sign T5 as missing. In response, the Applicants respectfully submit that the reference sign T5 is explained on page 26, line 5 and page 27, line 11 of the originally filed specification. The reference sign can also be found on page 19, line 21, page 20, line 17, page 22, line 3, page 23, line 3, and page 24, line 6 of the substitute specification.

Specification

The Disclosure is objected to because the specification is not in proper idiomatic English in compliance with 37 C.F.R. 1.52(a) and (b). In response, the Applicants have submitted an appropriate substitute specification to correct the errors outlined in the Office Action. Applicants have also submitted a marked-up copy of the substitute specification. The Applicants hereby submit that the substitute specification contains no new matter.

Claim Objections

Claims 1 and 12 stand objected to because of informalities. In response, the Applicants respectfully submit that Claims 1 and 12 are in a proper format. Claim 1 contains the transitional phrase comprising in line 1. As for claim 12, there is no prohibition against a claim containing two transitional words. The first instance of comprising serves to link the preamble of the claim to the method steps provided therein. The second instance of comprising serves to link the "plate member" to the elements that the plate member includes. Accordingly, the Applicants respectfully request that the objection to Claims 1 and 12 be withdrawn.

Claim Rejections – 35 U.S.C. § 112

Claims 12-13 stand rejected under 35 U.S.C. § 112 as being indefinite. The Office Action objects that the limitation "the breaking processes" lacks an antecedent basis. The Applicants have amended Claim 12 to provide an antecedent basis for the limitation. The Applicants respectfully request that the rejection of Claims 12-13 under 35 U.S.C. § 112 be withdrawn.

Claim Rejections – 35 U.S.C. § 103

Claims 1-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hosotani et al. (U.S. Pat. No. 5,616,985; "Hosotani").

Claim 1 as amended recites:

A shadow mask formed from a plate member comprising an outer frame portion, a body portion of a shadow mask having an outer peripheral line formed through an etching process and a plurality of connection portions through which the body portion of the shadow mask is supported by the outer frame portion, the shadow mask being formed by removing the outer frame portion from the body portion of the shadow mask, wherein a break portion is formed to the shadow mask by removing the outer frame so as to be recessed inward from the outer peripheral line of the shadow mask.

To establish the obviousness of Claim 1 in view of Hosotani, the Office Action must prove that Hosotani teaches or suggests all of the elements of Claim 1. The Applicants respectfully submit that Claim 1 is not obvious in view of Hosotani because the Office Action does not prove that Hosotani, even if modified as the Examiner suggests, teaches or suggests all of the elements of Claim 1.

Specifically, Hosotani does not teach or suggest "a break portion is formed to the shadow mask by removing the outer frame so as to be recessed inward from the outer peripheral line of the shadow mask." The Office Action, in item 16, identifies a break portion with an arrow pointing toward Figure 4C of Hosotani. The Applicants respectfully submit that the Office Action misconstrues the portion of Figure 4C of Hosotani as being a break portion as recited in Claim 1 of the present application.

The break portion of the shadow mask provided in the present application is utilized to remove the shadow mask body from an outer frame portion of a plate member along an outer peripheral line through a breaking process such as folding, tensioning, or tearing. The shadow mask body is connected by a plurality of connection points at the outer peripheral line to the outer frame pare to form a plate member. A plurality of penetrating portions are provided alternately with the connection portion along with the outer peripheral line for easy breaking.

In contrast, the portion indicated by the Examiner as being a "break portion" is provided only at each corner and a central portion in the shadow mask of Hosotani. These portions are a kind of cutting off which is used to form an approximately rectangular domed shadow mask by press molding. These cutting off portions do not serve in any way as a means for removing the shadow mask from the frame portion. A close reading of Hosotani confirms this. Hosotani describes the shadow mask being removed from the mask frame 6 by cutting along the shadow

mask developed line 54 (column 2, lines 34-41; column 4, lines 34-37; column 5, lines 7-10 and lines 43-46; column 6, lines 15-18; column 7, lines 3-6.) There is no teaching or suggestion of a break portion provided along the shadow mask developed line 54 in Hosotani that is used for removing the mask from the frame. Therefore, the Applicants respectfully submit that the Office Action fails in its burden of establishing that Hosotani teaches or suggests all of the elements of Claim 1.

The Applicants respectfully submit that Claim 5 is allowable for the same reasons as given with respect to Claim 1. Claims 2-4 and Claims 6-11 are dependent on Claims 1 and 5 respectively. Therefore, Applicants respectfully submit these claims are allowable for the same reasons as given with respect to Claims 1 and 5.

The Applicants thank the Examiner for indicating that Claims 12 and 13 would be allowable if rewritten to overcome the 35 U.S.C. § 112 rejections. The Applicants respectfully submit the 35 U.S.C. § 112 rejections have been overcome. Accordingly, Claims 12-13 are in a condition for allowance. The Applicants further respectfully submit that the remaining claims are also in a condition for allowance. Therefore, favorable reconsideration is respectfully requested.

Respectfully submitted,


Douglas S. Rupert
Attorney for Applicants
Reg. No. 44434

Dated: 10/23, 2003

WILDMAN, HARROLD, ALLEN & DIXON
225 West Wacker Drive
Chicago, Illinois 60606-1229
Telephone: (312) 201-2000
Facsimile: (312) 201-2555
e-mail: rupert@whad.com

CERTIFICATE OF EXPRESS MAIL

"Express Mail" mailing label number: ER 022529801 US
Date of Deposit: 10/23/03

I hereby certify that this paper or fee is being deposited with the
United States Postal Service "Express Mail Post Office to
Addressee" on the date indicated above and is addressed to
the Commissioner for Patents, P.O. Box 1450 Alexandria, VA
22313-1450. 